

**Fax**☒ Urgent☐ Return reply requested☐ Original will be sent as confirmation**To: United States Patent and Trademark Office****Date: May 23, 2006****Attention: Examiner Gambel****Re: Appl. No. 08/474,388; Filed: June 7, 1995****For: ICAM-1 Preparations****Inventors: Springer *et al.*****From: Gaby L. Longworth** **Pages (including cover sheet): 11****Fax No: (571) 273-0844****Our Reference: 1011.004000D/RCM/GLL**

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## Message

**Dear Examiner Gambel,**

Enclosed please find courtesy copies of the date stamped postcard and three Declarations filed on July 6, 1998, for the above referenced case. If you have any questions, please do not hesitate to contact us.

Thanks,

Gaby Longworth

535810v1

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If any portion of this transmission is not received clearly or in full,  
contact us at 202.371.2600 or f 202.371.2540

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This message is intended for the exclusive use of the individual or entity to which it is addressed. The message may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this communication in any way is strictly prohibited. If you have received this communication in error, please call us collect immediately, and return the original message to us at the above address via the U.S. Postal Service.

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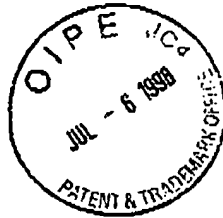
Sterne, Kessler, Goldstein & Fox P.L.L.C.; 1100 New York Avenue, NW; Washington, DC 20005; 202.371.2600 f 202.371.2540; [www.skgt.com](http://www.skgt.com)

Applicants: Springer et al.

Application No.: 08/474,388

Filed: June 7, 1995

For: ICAM-1 Preparations



Due Date: July 6, 1998

Art Unit: 1816

Examiner: T. Cunningham

Docket: 1011.004000D

Atty: RCM:S-S

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. USPTO Transmittal Cover Letter (*in duplicate*);
2. Fee Transmittal (PTO-SB-17) (*in duplicate*);
3. Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences - Large Entity (*in duplicate*);
4. Petition for Extension of Time Under 37 C.F.R. § 1.136(a)(1) (*in duplicate*);
5. Amendment and Reply Under 37 C.F.R. § 1.116;
6. Exhibit A: Declaration Under 37 C.F.R. § 1.132 executed by Timothy A. Springer;
7. Exhibit B: Declaration Under 37 C.F.R. § 1.132 executed by Michael Dustin;
8. Exhibit C: Declaration Under 37 C.F.R. § 1.132 executed by Robert Rothlein and Steven D. Marlin;
9. Exhibit D: Photocopy of Postcard submitting Declaration Under 37 C.F.R. § 1.132 dated May 19, 1993;
10. Our Check No. 22229 in the amount of \$1,260.00 to cover: \$310.00 Notice of Appeal fee and \$950.00 Three month extension of time fee; and
11. One return postcard.

*Please Affix Date Stamp on Postcard and Return to Our Courier  
Box AF*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Springer *et al.*

Serial No. 07/515,478

Art Unit: 1813

Filed: April 27, 1990

Examiner: Cunningham

For: Intercellular Adhesion  
Molecules And Their  
Binding Ligands

Atty Docket: 1011.0040008/RAM

Declaration Under 37 C.F.R. § 1.132

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned Timothy A. Springer, Robert Rothlein, Steven D. Marlin, and  
Michael Dustin state and declare that:

1. We are the sole inventors of the invention described and claimed in U.S.  
Serial No. 07/515,478, filed April 27, 1990, which is a continuation-in-part of  
07/456,647, filed December 22, 1989, which is a continuation-in-part of 07/373,882,  
filed June 20, 1989, which is a continuation-in-part of 07/324,481, filed March 16,  
1989, which is a continuation in part of 07/250,446, filed on September 28, 1988,  
which is continuation-in-part of 07/189,815, filed on May 3, 1988, which is a  
continuation-in-part of 07/155,943, filed on February 16, 1988, which is a continuation-  
in-part of 07/115,798, filed on November 2, 1987, which is a continuation-in-part of  
07/045,963, filed May 4, 1987.

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GOLDSTEIN & FOX  
ATTORNEYS AT LAW  
1425 CONNECTICUT AVENUE  
WASHINGTON, D. C. 20036  
(202) 462-0400

2. Michael Dustin, Robert Rothlein and Timothy Springer are also three of the co-authors of the paper entitled "Induction By IL 1 And Interferon- $\gamma$  Tissue Distribution, Biochemistry, And Function Of A Natural Adherence Molecules (ICAM-1)" which was published in the *Journal of Immunology* 173:245-254 (1986).

3. Atul K. Bhan and Charles A. Dinarello are also named as co-authors of the paper described in number 2 above.

4. As to any inventive subject matter of the above captioned application which is disclosed in the article described in number 2 above, neither Atul K. Bhan or Charles A. Dinarello are inventors, nor are they joint inventors, of this material.

5. Atul K. Bhan was named as co-author of the paper described in number 2 above because he provided technical support in performing the histochemical studies which were designed and suggested by the inventors of the present application. In providing technical support in the field of histology, Atul K. Bhan did not contribute to the conception of the method disclosed and claimed in the present invention but contributed to the level of co-authorship of the *J. Immunology* paper.

6. Charles A. Dinarello was named as co-author of the paper described in number 2 above, because he provided purified interleukin 1. By providing purified interleukin 1, Charles A. Dinarello did not contribute to the conception of the method

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1875 CONNELL AVENUE  
WASHINGTON, D. C. 20036  
202-462-0800

disclosed and claimed in the present application but contributed to the level of co-authorship of the *J. Immunology* paper.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereupon.

Respectfully submitted,

Date: 5-3-93

Ta S.  
Timothy A. Springer

Date: \_\_\_\_\_

\_\_\_\_\_  
Robert Rothlein

Date: \_\_\_\_\_

\_\_\_\_\_  
Steven D. Marlin

Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Dustin

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202-556-0600

2. Michael Dustin, Robert Rothlein and Timothy Springer are also three of the co-authors of the paper entitled "Induction By IL 1 And Interferon- $\gamma$  Tissue Distribution, Biochemistry, And Function Of A Natural Adherence Molecules (ICAM-1)" which was published in the *Journal of Immunology* 173:245-254 (1986).

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Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
Timothy A. Springer

Date: \_\_\_\_\_

\_\_\_\_\_  
Robert Rothlein

Date: \_\_\_\_\_

\_\_\_\_\_  
Steven D. Marlin

Date: April 30, 1993

Michael L. Dustin  
Michael Dustin

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Springer *et al.*

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Art Unit: 1813 -

Filed: April 27, 1990

Examiner: Cunningham

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Respectfully submitted,

Date: \_\_\_\_\_

\_\_\_\_\_  
Timothy A. Springer

Date: May 4, 1993

\_\_\_\_\_  
Robert Rothlein

Date: MAY 3, 1993

\_\_\_\_\_  
Steven D. Marlin

Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Dustin

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